

### **REMARKS/ARGUMENTS**

Claim 1 has been objected to because “the high-temperature stable modification HT” lacks antecedent basis. Claim 1 has been suitably revised to overcome this objection in a self-explanatory manner. The modification HT is disclosed on page 3, lines 9-15 of the specification.

Claim 5 has been objected to because “SiN” lacks antecedent basis. Claim 5 has been suitably revised to overcome this objection in a self-explanatory manner. The wording used in this claim is in conformity with page 7, lines 19-21 of the specification.

All the pending claims have been rejected either under 35 USC 102(e), as anticipated by Schmidt et al. (“Schmidt”) or under 35 USC 103(a) as unpatentable over Schmidt applied alone or in view of a secondary reference. Withdrawal of these rejections is respectfully requested in light of the following remarks.

The present application claims priority of DE 103 44 331.2 filed in Germany on September 24, 2003. As confirmed on the Notice of Acceptance mailed by the USPTO on September 18, 2006 (Form PCT/DO/EO/903), the priority document was filed. This is further confirmed by Form PCT/IB/304 issued by WIPO in the basic PCT application.

A verified English translation of the German priority document is submitted herewith in order to perfect the claim for priority. The effective prior art date of Schmidt is October 7, 2003, which is after the priority date claimed by the present application.

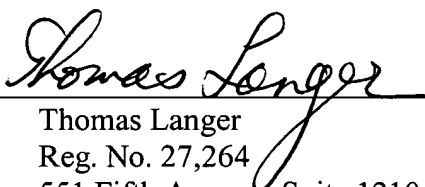
Tamaki has also been applied to reject the claims. Tamaki’s effective prior art date is also after the priority date claimed by the present application.

Both Schmidt and Tamaki must be removed as prior art with respect to the present application. Thus, all the pending claims are in condition for allowance. Prompt and favorable action to this effect is respectfully solicited.

Based on all of the above, applicants submit that the present application is now in full and proper condition for allowance. Prompt and favorable action to this effect, and early passage of the application to issue, are solicited.

Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned to facilitate an early resolution of any outstanding issues.

Respectfully submitted,  
COHEN PONTANI LIEBERMAN & PAVANE LLP

By   
Thomas Langer  
Reg. No. 27,264  
551 Fifth Avenue, Suite 1210  
New York, New York 10176  
(212) 687-2770

Dated: July 24, 2008